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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,664	07/12/2001	Jin Soo Lee	LGE-011	2101
34610	7590	04/20/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			PATEL, DHAIRYA A	
		ART UNIT		PAPER NUMBER
		2151		

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/902,664	LEE ET AL.	
	Examiner	Art Unit	
	Dhairya A. Patel	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 March 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 1-23 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 24-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/18/2003</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Application # 09/902,664 was filed on 7/12/2001.
2. This action is in response the restriction requirement. Applicant elected Group III claims 24-27 with traverse. Claims 1-23 are still pending in the case.

Election/Restrictions

3. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claim 1-20 are, drawn to an apparatus for processing description information of multimedia data, comprising a server adding description information to multimedia, a terminal transmitting/receiving multimedia data to/from the server classified in class 709, subclass 203.
 - II. Claims 21-23 are, drawn to a method for processing description information of multimedia data, comprising classifying description information into common characteristic information commonly applicable to multimedia data and inherent characteristic information inherently applicable to the multimedia data classified in class 709, subclass 231.
 - III. Claims 24-27 are drawn to a method for processing description information of multimedia data, comprising comparing a program ID of displayed multimedia data with a program ID stored in a memory unit when the multimedia data is displayed on a terminal classified in class 709, subclass 234.
4. The inventions are distinct, each from the other because of the following reasons:

Inventions I, II and III are unrelated. In the instant case the different inventions as group I claims 1-20 are directed to an apparatus for processing description information of multimedia data, comprising a server adding description information to multimedia, a terminal transmitting/receiving multimedia data to/from the server lacking a method for processing description information of multimedia data, comprising classifying description information into common characteristic information commonly applicable to multimedia data and inherent characteristic information inherently applicable to the multimedia data and comparing a program ID of displayed multimedia data with a program ID stored in a memory unit when the multimedia data is displayed on a terminal. Group II claims 21-23 are directed to a method for processing description information of multimedia data, comprising classifying description information into common characteristic information commonly applicable to multimedia data and inherent characteristic information inherently applicable to the multimedia data lacking comparing a program ID of displayed multimedia data with a program ID stored in a memory unit when the multimedia data is displayed on a terminal and an apparatus for processing description information of multimedia data, comprising a server adding description information to multimedia, a terminal transmitting/receiving multimedia data to/from the serve. Group III claims 24-27 are directed to a method for processing description information of multimedia data, comprising comparing a program ID of displayed multimedia data with a program ID stored in a memory unit when the multimedia data is displayed on a terminal lacking classifying description information into common characteristic information commonly applicable to multimedia data and

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inherent characteristic information inherently applicable to the multimedia data and an apparatus for processing description information of multimedia data, comprising a server adding description information to multimedia, a terminal transmitting/receiving multimedia data to/from the server.

5. These inventions are distinct for the reasons given above, and the search required for each Group is different and not co-extensive for examination purpose. For example, the searches for the four inventions would not be co-extensive because these groups would require different searches on PTO's classification class and subclass as following.

- a) The Group I search (claims 1-20) would require use of class 709 subclass 203 (not require in invention II and III).
- b) The Group II search (claims 21-23) would require use of class 709 subclass 231 (not require in invention I and III).
- c) The Group III search (claims 24-27) would require use of class 709 subclass 234 (not require in invention I and II).

The restriction requirement is in response to the Non-final restriction requirement. In the non-final restriction requirement the applicant elected Group III with traverse. It therefore made clear that Group I claims 1-20 and Group II claims 21-23 are cancelled from this application. **This restriction is made FINAL.**

6. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

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7. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claim 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cox et al. U.S. Patent # 6,456,725 (hereinafter Cox) in view of Barton et al. U.S. Patent Publication # 2003/0095791 (hereinafter Barton).

As per claim 24, Cox teaches a method for processing description information of multimedia data, comprising:

-comparing a program ID (title signal) of displayed multimedia data (DVD video movie) with a program ID (player signal) stored in a memory unit when the multimedia data is displayed on a terminal (column 5 lines 6-15);

The reference teaches comparing title signal (program ID) of the DVD video movie (multimedia data) while it is playing with the player signal (program ID) stored in the memory unit.

Cox fails to teach storing an inherent list in the memory unit but further teaches the program ID is the same as the program ID stored in the memory unit (column 5 lines 41-44)(column 5 lines 6-15);

Cox fails to teach storing a common list and the inherent list in the memory unit but further teaches the program ID is not the same as the program ID stored in the memory unit (column 5 lines 41-44)(column 5 lines 6-15).

Barton teaches storing inherent list in the memory unit (Paragraph 31)

The reference a user database (inherent list) stored in the web server.

Barton also teaches storing common list and the inherent list in the memory unit (Paragraph 28)(Paragraph 31)(Paragraph 32)

The reference teaches storing user database (inherent list) and event list (common list) in the memory unit.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement Barton's teaching in Cox's teaching to come up with storing inherent list in the memory list when the program ID are same when compared and storing both the inherent and the common list when they are not the same. The motivation for storing the inherent list when the program ID's are same because inherent list contains information about the specific episode, run-time and the theme so since the program ID's are matched, it is necessary to save only the inherent list because one in future can look up the program by using inherent list information meanwhile if the program ID are not matched then storing both the inherent list and the

common list would help because it contains more information which would help finding the correct program.

As per claim 25, Cox and Barton teaches the method of claim 24, but Cox fails to teach wherein the comparing process further includes the step of: adding link information for linking to the common list to the inherent list and comparing link information of the common list with the link information of the inherent list. Barton teaches adding link information for linking to the common list to the inherent list and comparing link information of the common list with the link information of the inherent list (Paragraph 31)(Paragraph 32).

The reference teaches adding link information of the additional memory unit to the event list (common list), which is a pointer to the event list from the user database (common list) and comparing the lists.

As per claim 26, Cox teaches a method for processing description information of multimedia data, comprising:

-comparing a program ID of displayed multimedia data with a program ID stored in an additional memory unit when the multimedia data is displayed on a terminal (column 5 lines 6-15);

The reference teaches comparing title signal (program ID) of the DVD video movie (multimedia data) while it is playing with the player signal (program ID) stored in the memory unit.

Cox fails to teach storing an inherent list in the memory unit but further teaches the program ID is the same as the program ID stored in the additional memory unit (column 5 lines 41-44)(column 5 lines 6-15);

Cox fails to teach storing a common list and the inherent list in the additional memory unit but further teaches the program ID is not the same as the program ID stored in the additional memory unit (column 5 lines 41-44)(column 5 lines 6-15).

Barton teaches storing a inherent list in the memory unit (Paragraph 31)

The reference a user database (inherent list) stored in the web server.

Barton also teaches storing a common list and the inherent list in the memory unit (Paragraph 28)(Paragraph 31)(Paragraph 32)

The reference teaches storing user database (inherent list) and event list (common list) in the additional memory unit.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement Barton's teaching in Cox's teaching to come up with storing inherent list in the memory list when the program ID are same when compared and storing both the inherent and the common list when they are not the same. The motivation for storing the inherent list when the program ID's are same because inherent list contains information about the specific episode, run-time and the theme so since the program ID's are matched, it is necessary to save only the inherent list because one in future can look up the program by using inherent list information meanwhile if the program ID are not matched then storing both the inherent list and the

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common list would help because it contains more information which would help finding the correct program.

As per claim 27, Cox and Barton teaches the method of claim 26, but Cox fails to teach wherein the comparing process further includes the step of: adding link information of the additional memory unit to the inherent list and comparing the common list with the inherent list. Barton teaches adding link information of the additional memory unit to the inherent list and comparing the common list with the inherent list (Paragraph 31)(Paragraph 32).

The reference teaches adding link information of the additional memory unit to the event list (common list), which is a pointer to the event list from the user database (common list) and comparing the lists.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A). "Method for increasing the functionality of a media player/recorder device or an application program" by Cox et al. U.S. Patent # 6,456,725.

B). "System and Method for Internet Access for personal television service" by Barton et al. U.S. Patent Publication # 2003/0095791.

10. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the applicant (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

11.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairy A. Patel whose telephone number is (571) 272-4066. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAP



ZARNI MAUNG
PERVISORY PATENT EXAMINER